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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,493	04/15/2004	Sun-Chung Chen	A-9030	6580

7590 11/26/2008  
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Arlington, VA 22202

EXAMINER
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PEYTON, TAMMARA R

ART UNIT	PAPER NUMBER
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2182

MAIL DATE	DELIVERY MODE
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11/26/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/824,493

**Applicant(s)**

CHEN, SUN-CHUNG

**Examiner**

TAMMARA R. PEYTON

**Art Unit**

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SI/309)  
Paper No(s)/Mail Date 9/8, 9/17/08
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Response to Arguments**

Applicant's arguments filed on 8/8/08, with respect to the rejection(s) of claim(s) 1 - 21 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-8, 11, 12, 13, 17, and 19-21, are rejected under 35 U.S.C. 102(e) as being anticipated by Moore (US 2005/0052465).

As per claims 1, 11, and 12, Moore teaches a keyboard video mouse (KVM) switch for a plurality of computers to share a plurality of manipulating devices with different connection agreements, the KVM switch (Fig. 2, 116) comprising:

a plurality of first interfaces (Fig. 2, PS2) connected to the manipulating device to receive a plurality of first electrical signals ([0022]), where each of the electrical signals

complies with the connection agreement of its source manipulating devices (Fig. 2, 118 and 120) and each of the first interfaces has a first converting device to convert the first electrical signals into a standard packet; (Fig. 2, 116, [0023])

a switch device (Fig. 2, 126, [0023]), which arranges the routing of the standard packets between the manipulating devices and the computers according to a path selection setting; and

a plurality of second interfaces (Fig. 2, 102) connected to the computers, where each of the second interfaces has a second converting device to convert the standard packets received from the switch device into a second electrical signal complying with the connection agreement of the connected computer. (Moore teaches a packet encoding device according to a path selection setting [0125] Lines 12 - 18 and [0136] Lines 3 - 5)

As per claims 2 and 13, Moore teaches wherein each of the electrical signals is selected from the group comprising a keyboard signal and a mouse signal. (Moore; Figure 2 Items 118 and 120, Paragraph [0022] Lines 1 -4)

As per claim 3, 7, 17, 19, and 20, Moore teaches wherein the KVM switch allows a plurality of local and remote computers to share a plurality of local manipulating devices, further Moore also teaches wherein the network device contains a network card (Moore; Figure 3 Item 146) which connects to the packet encoding and decoding device (Moore; Figure 3 Item 138); and a first port (Moore; Figure 3 [link between Items

144 and 146)); and a plurality of wireless ports (Moore; Paragraph [0134] Lines 5 - 11), one of which connects to the other KVM switch (Moore; Figure 2 Item 134) Further, Moore also teaches wherein the paths of the local and remote electrical signals are switched by a CPU according to a path selection setting (Moore; Paragraph [0125] Lines 12- 18) and Paragraph [0136] Lines 3 -5)

As per claims 5, 6, and 21, Moore also teaches wherein the network packet transmitted to other KVM switches uses a CPU to perform encoding and decoding (Moore; Figure 5 Item 158, Paragraphs [0035] - [0036])

As per claim 8, Moore teaches wherein the network device further contains a 2-way switch connected to the second port for selecting between an Ethernet (a plurality of wireless ports (Moore; Paragraph [0134] Lines 5 - 11)), and another KVM switch. (Moore; Figure 2 Item 134)

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

US Patent Application Publication No. 2005/0052465 (hereinafter Moore) in view of US Patent No. 6,567,869 (hereinafter Shirley, cited as prior art 08/15/08).

As per claims 4 and 18, Moore does not teach wherein the network packet has a network overhead section. However, Shirley teaches a KVM switch that communicated using packets. The packets have a header section (Shirley; Col 3 Lines 19 - 24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Moore to include the network overhead section because doing so allows for identification of the recipient of the communication (Shirley; Col 3 Lines 19 - 24).

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. 2005/0052465 (hereinafter Moore) in view of the Examiner's taking of Official Notice.

Moore does not explicitly teach wherein the interfaces contain UART's and a half-duplex processor.

However, the Examiner has taken Official Notice that UART's and half-duplex communications are well known in the art of data communications.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Moore to include the UART's and half-duplex communications because doing so allows the KVM to communicate with the attached peripherals and computers.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

/Tammara R Peyton/

Primary Examiner, Art Unit 2182

November 19,2008